

REMARKS

Claims 1-27 are pending in the Application. No new matter has been added. Entry of the amendment is respectfully requested. Reconsideration is respectfully requested.

Priority

The Specification has been amended to claim the benefit of Provisional Application No. 60/108,340. Apparently the Applicant's previous priority amendment request (on page 4 of the originally filed Application Transmittal papers) was not entered by the Office. Applicant requests acknowledgment of the claim for domestic priority under 35 U.S.C. § 119(e).

35 U.S.C. § 112 Rejection

Claim 24 was rejected under 35 U.S.C. § 112, second paragraph. The Action alleges that the claim 24 language "for the amount and the charge" is unclear. The Applicant respectfully disagrees.

Claim 24 recites that "step (d) includes charging the user's credit card account for the amount and the charge." Claim 24 depends from claim 23. Claim 23 in step (d) recites "charging the source of monetary value the amount and the charge." Claim 23 in step (c) recites "dispensing cash value from the cash value dispensing mechanism responsive to an input to the input device, the cash value dispensed corresponding to an amount." Claim 23 in step (b) recites "dispensing merchandise from the self-service dispensing machine responsive to an input to the input device, the dispensed merchandise having an associated charge."

Applicant has shown that the objected to claim 24 language has proper antecedent basis. Thus, Applicant respectfully requests that the rejection be withdrawn (or that the Office provide clarification of the alleged unclarity).

35 U.S.C. § 103(a) Rejections

The 35 U.S.C. § 103(a) rejections are respectfully traversed. Each of the 35 U.S.C. § 103(a) rejections rely on Chandonnet (US 6,401,009). However, Chandonnet does not constitute prior art pursuant to 35 U.S.C. § 103(a).

For purposes of U.S.C. § 103(a) the Chandonnet reference has a filing date of February 16, 1999. However, the present invention claims the benefit of the November 13, 1998 filing date of U.S. Provisional Application No. 60/108,340. Thus, the Chandonnet reference does not constitute prior art pursuant to 35 U.S.C. § 103(a). Likewise, the Ramachandran reference (US 6,386,323) also does not constitute prior art pursuant to 35 U.S.C. § 103(a).

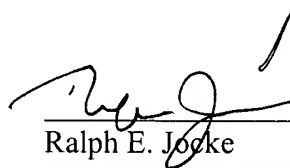
Furthermore, Applicant "may overcome a 35 U.S.C. § 103 rejection based on a combination of references by showing completion of the invention by applicant prior to the effective date of any of the references" (MPEP § 715.02). Therefore, any rejection involving the Chandonnet reference is invalid. Since all of the 35 U.S.C. § 103(a) rejections involve Chandonnet, they are all moot. Therefore, it is respectfully submitted that the 35 U.S.C. § 103(a) rejections should be withdrawn.

Conclusion

Applicant respectfully submits that no prior art has been applied that discloses or suggests recited features and relationships. Nor has any prior art been applied that has a teaching, suggestion, or motivation for combining features of prior art so as to produce Applicant's invention. Thus, allowance of all of Applicant's pending claims is respectfully requested.

The undersigned will be happy to discuss any aspect of the Application by telephone at the Examiner's convenience.

Respectfully submitted,



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